

# SENATE RECORD VOTE ANALYSIS

104th Congress  
1st Session

Vote No. 560

November 1, 1995, 2:05 p.m.  
Page S-16480 Temp. Record

## FOREIGN OPERATIONS CONFERENCE/Conditions on Aid to Burma

**SUBJECT:** Amendments in disagreement to the conference report to accompany the Foreign Operations, Export Financing, and Related Programs Appropriations Bill for fiscal year 1996 . . . H.R. 1868. McConnell motion to table the McCain/Kerry amendment No. 3041 to the Leahy/Kassebaum amendment No. 3041 to the House amendment to the Senate amendment in disagreement No. 115.

### ACTION: MOTION TO TABLE AGREED TO, 50-47

**SYNOPSIS:** The conference report to accompany, H.R. 1868, the Foreign Operations, Export Financing, and Related Programs Appropriations Bill for fiscal year 1996, will provide a total of \$12.1 billion in new budget authority for foreign aid programs in fiscal year (FY) 1996. This amount is \$1.55 billion below the FY 1995 appropriated amount. Details are provided below.

The Senate amendment in disagreement No. 115 would provide that there would be no restrictions on funding for foreign organizations that provide abortion services as a method of family planning, nor would there be restrictions on funding for the United Nations Population Fund while it was operating in China (the House provisions on these subjects were removed by conferees, leaving the only language in the conference report on them on this amendment in disagreement).

The House amendment to the Senate amendment in disagreement No. 115 to H.R. 1868 would forbid using funds made available by this Act:

- to lobby for or against abortion;
- to give aid for population assistance activities to any foreign private, nongovernmental, or multilateral organization until it certified that it would not, during the period for which the funds were made available, perform abortions in any foreign country, except in cases in which the life of the mother would be endangered if the fetus were carried to term or in cases of forcible rape or incest (this restriction on abortion funding, which was in effect since 1984 under the Reagan and Bush Administrations and which was repealed administratively by President Clinton in 1993, is known as the "Mexico City" policy);
- to give assistance to any foreign private, nongovernmental, or multilateral organization that, during the period for which the funds were made available, violated the laws of any foreign country concerning the circumstances under which abortion is permitted,

(See other side)

YEAS (50)			NAYS (47)			NOT VOTING (2)	
Republicans (21 or 40%)	Democrats (29 or 64%)		Republicans (31 or 60%)	Democrats (16 or 36%)		Republicans (1)	Democrats (1)
Bennett	Akaka	Kohl	Abraham	Kempthorne	Baucus	Hatfield- <sup>2AY</sup>	Bradley- <sup>4</sup>
Brown	Biden	Lautenberg	Ashcroft	Kyl	Bingaman		
Burns	Boxer	Leahy	Bond	Lugar	Breaux		
Campbell	Bryan	Levin	Coats	Mack	Conrad		
Chafee	Bumpers	Mikulski	Cohen	McCain	Dodd		
Cochran	Byrd	Moseley-Braun	Craig	Nickles	Dorgan		
Coverdell	Daschle	Moynihan	Dole	Pressler	Feinstein		
D'Amato	Exon	Murray	Domenici	Roth	Ford		
DeWine	Feingold	Pell	Frist	Simpson	Glenn		
Faircloth	Harkin	Pryor	Gramm	Smith	Graham		
Gorton	Heflin	Reid	Grams	Snowe	Johnston		
Gregg	Hollings	Robb	Grassley	Specter	Kerrey		
Inhofe	Inouye	Rockefeller	Hatch	Thomas	Kerry		
Jeffords	Kennedy	Sarbanes	Helms	Thompson	Lieberman		
Kassebaum		Wellstone	Hutchison	Thurmond	Nunn		
Lott				Warner	Simon		
McConnell							
Murkowski							
Santorum							
Shelby							
Stevens							

#### EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

#### SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

regulated, or prohibited (this prohibition would not apply to an organization's opposition to coercive abortion or sterilization policies); and

- to give assistance to the United Nations Population Fund (UNFPA) unless the President certified: that the UNFPA would terminate all assistance to China by March 1, 1996; or that for the 12 months preceding his certification there had been no coercive abortions in China as a result of its family planning policies.

The Leahy/Kassebaum amendment would concur in the House amendment with an amendment that would strike the text of the House amendment and provide instead that in determining eligibility for population control assistance from funds from this Act, "nongovernmental and multilateral organizations shall not be subjected to requirements more restrictive than the requirements applicable to foreign governments for such assistance" and "none of the funds made available under this Act may be used to lobby for or against abortion."

**The McCain/Kerry amendment** would permit using funds from this Act to give international narcotics control assistance or crop substitution assistance directly to the Government of Burma if the Secretary of State certified that such assistance was fully consistent with United States human rights concerns in Burma and served a vital United States national interest. Annual reports would be submitted on any such assistance that was given.

During debate, Senator McConnell moved to table the amendment. The motion to table is not debatable; however, some debate preceded the making of the motion. Generally, those favoring the motion to table opposed the amendment; those opposing the motion to table favored the amendment.

**Those favoring** the motion to table contended:

We have some disagreement with our colleagues on the relevant facts on this issue, but we mainly have a simple difference of opinion. Supporters of the McCain amendment acknowledge that Burma's State Law and Order Restoration Council (SLORC) is one of the most repressive, violent regimes on earth. For our part, we acknowledge that Burma is the source of 60 percent of the heroin that finds its way to America. The question is how do we approach this problem. Burma has one dissident who is known internationally, the Nobel Prize winner Daw Aung San Suu Kyi. She was released by the SLORC last July after being under house arrest for the past 6 years. In a State Department cable that our colleagues have cited, Suu Kyi indicated that she thought cooperating with the SLORC on counternarcotics operations might prove to be a useful, positive means of encouraging the SLORC to move toward democracy. However, our colleagues do not seem to be aware that since that time she has learned that we provided information to the SLORC on an alleged drug caravan, and that the SLORC used that information as an excuse to conduct fierce attacks on ethnic minority groups in the area where the caravan was operating. Members of the House International Relations Committee and members of the international press have met with her since July, and they report that she now adamantly opposes any cooperation on counternarcotics operations with the SLORC. We know that the Administration still contends that she is in favor of cooperation; we disagree.

Even if Suu Kyi favored cooperation with the SLORC, though, we still would not. Burma does not have any external enemies, yet the SLORC has assembled a 350,000 man army; that army exists exclusively to terrorize Burmese citizens in order to keep them under control. One of the ways this violent government funds its reign of terror is with drug money. It is no accident that Burma is the source of so much heroin--the SLORC is actively involved in the drug trade. We do not think that cooperating with the SLORC in any manner will do anything to restrict the flow of heroin. We must totally isolate this corrupt regime until it falls. When Burma becomes a democracy, then the drug trade will collapse. In our opinion, any type of cooperation we give will just serve to prop up this vile regime.

That, of course, is only our opinion, and reasonable people may disagree. Obviously, in this case, there is a strong difference of opinion. We hope, however, that a majority of Senators will agree with our view, and will join us in tabling this amendment.

**Those opposing** the motion to table contended:

Some years ago the United States declared a war on drugs. For a while, it was winning that war. Illegal drug use of all types declined steadily and dramatically. Once President Clinton took office, though, we no longer heard much about the war on drugs. President Clinton and a Democratic Congress cut funding for anti-drug programs, and the subject was not often mentioned. Drug use has since risen dramatically, but we still hear little about the problem. It seems as though the United States has either forgotten about the drug problem or declared unconditional surrender.

We are not willing to cede defeat. It is time we began to fight this war again. The McCain/Kerry amendment would start by attacking one of the most dangerous drugs, heroin, by trying to cut it off at its source. That source is Burma. Opium production in Burma has skyrocketed in recent years. Its huge increase in production has deflated heroin's price around the world, greatly increasing the number of addicts, and, because of the increased purity of the drug, the number of fatal overdoses that occur each year. In America, fully 60 percent of all the heroin comes from this one country.

We have a responsibility as Senators to do whatever we can to stop this drug from reaching the veins of America's children. We

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know that the military regime ruling Burma, the SLORC, has shown a willingness to cooperate with counternarcotics operations. We know also that the principle dissident in that country, Daw Aung San Suu Kyi, who understands the political situation much better than we do, agrees that cooperating with the SLORC on this issue at the same time as trade pressure is continued will work as a "carrot and stick" approach to encourage human rights improvements in Burma. Some Senators have said that she has abandoned that position; we have not seen any documentation to that effect, plus we know that the Administration has informed us that she still is in favor of limited cooperation on counternarcotics efforts.

We have proposed this particular amendment on behalf of the State Department so that it may proceed with a plan to provide \$2 million in assistance through the United Nations to get poppy farmers in Burma to grow other crops. The State Department also wishes to spend a very small amount--\$50,000--to train Burmese customs officials. Some Senators have suggested that the State Department is expressly interested in training the SLORC in counternarcotics efforts, but that is not our understanding at all.

As our colleagues have stated, the main issue on this amendment comes down to a matter of opinion. In our opinion, our current policy of doing nothing to stop the flow of heroin from its source is an utter failure. Every year the amount of heroin reaching our country from Burma increases, every year the number of addicts increases, and every year the number of fatal overdoses increases. We do not think a minor amount of cooperation is going to prop up the corrupt Burmese government, but we do think it may well serve to reduce the amount of heroin coming from Burma. In our opinion, the McCain/Kerry amendment would take an overdue step in the seemingly forgotten war on drugs. We therefore emphatically urge its adoption.